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7590 09/29/2003
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Wantagh, NY 11793

EXAMINER

BARNIE, REXFORD N

| ART UNIT | PAPER NUMBER |
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2643

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/525,566

Applicant(s)
BRECKENRIDGE

Examiner
REXFORD BARNIE

Art Unit
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 15, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). AND 3 6) ☐ Other:

R. Barnie
REXFORD BARNIE
PRIMARY EXAMINER
09/24/03

Art Unit: 2643

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 112

1. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
2. Claims 1-2 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

EXAMINER'S SUGGESTION FOR CLAIM AMENDMENT

The claims could be amendment as suggested as follows to put the application in condition for examination and **claim 1 would receive favorable consideration if elected for prosecution**

1. **(Amended)** Apparatus for dialing an area code and phone number dial string when a calling party dials seven or less digits on a telephone network which requires the area code or the area code and additional digits to be dialed as a prefix to the digits dialed by the calling party for call completion, the apparatus remaining quiescent when a calling party dials less than or more than a predetermined number of digits, or any number of digits during the call after the calling party has connected to the called party, unless the calling party has interrupted the call progress to dial a second called party, the apparatus comprising:
 - a) a telephone line state detector having an input and an output, said line state detector input being connected to the telephone line of the calling party to detect the load impedance on the

Art Unit: 2643

telephone line of the calling party and to provide an indicating signal of the line load impedance at said line state detector output;

- b) a computer processor connected to said output of said line state detector;
- c) a DTMF dialer having an input and an output, said DTMF dialer input being connected to said computer processor and said DTMF dialer output being connected to the telephone line of the calling party;
- d) a DTMF receiver having an input and an output, said input of said DTMF receiver connected to the telephone line of the calling party, and said output of said DTMF receiver connected to said computer processor;
- e) a line interruption circuit having a control input, a line input, and a line output, said control input of said line interruption circuit being connected to said computer processor through circuit isolation means and said line input of said line interruption circuit being connected to the tip and ring connection of the calling party's telephone, and said line output of said line interruption circuit being connected to the tip and ring connection of the telephone line of the calling party;
- f) a non-volatile programmable memory circuit means connected to the computer processor for storing the telephone prefix and other user defined options;
- g) a random access memory circuit, RAM, means connected to the computer processor for storing digit strings dialed by the calling party;
- h) a user interface device means connected to said computer processor for prompting and acknowledging inputs of user options by the calling party to initialize the apparatus;

wherein the computer processor comprises:

- I) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for detecting off-hook, on-hook, and hook flash line conditions in response to said indicating signal from said line state detector output;
- j) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for controlling said line interruption circuit effecting a flash hook condition on the telephone line;

Art Unit: 2643

- k) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for controlling and responding to said DTMF receiver causing digits dialed by the calling party to be recorded in said RAM connected to said computer processor;
- l) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit through flash hook means wherein one flash is effected of duration between 500 and 700 milliseconds for clearing the telephone line in preparation for dialing the prefix and telephone number specified by the calling party;
- m) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for controlling said DTMF dialer, causing said DTMF dialer to dial the complete dial prefix and telephone number of the dial sequence initiated by the calling party;
- n) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit through flash hook means wherein in response to flash hook detection means, sub-claim I, three successive flashes are effected, each of duration between 500 and 700 milliseconds, within 250 to 325 milliseconds of each other, for retaining line connection to first called party while dialing second called party;
- o) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for selectively inhibiting said DTMF dialer, permitting the calling party to successfully complete dial strings other than a specified number of digits directly to the Central Office without intervention;
- p) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for selectively inhibiting said DTMF dialer, permitting the calling party to send dial strings of any length to the called party during a call to the called party without intervention;
- Q) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for allowing the calling party to pre-store the dial prefix;
- R) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for allowing the calling party to verify through user interface the dial prefix pre-stored;

Art Unit: 2643

s) a program instruction means residing in said computer processor or said non-volatile programmable memory circuit for storing "1 +" dialing user option and "privacy" user option, (*67 or *82), as part of the dial prefix to be dialed.

2) A Method for dialing an area code and phone number dial string when a calling party dials seven or less digits on a telephone network which requires the area code or the area code and additional digits to be dialed as a prefix to the digits dialed by the calling party for call completion, remaining quiescent when a calling party dials less than or more than a predetermined number of digits, or any number of digits during the call after the calling party has connected to the called party, unless the calling party has interrupted the call progress to dial a second called party, the method comprising:

a) a programmed instruction means for providing a user options interface allowing user to define a default dialing prefix;

b) a programmed instruction means for notifying user of the default dialing prefix;

c) a programmed instruction means for calculating a specified number of digits dialed by calling party required to activate according to a formula:

Specified number of digits = Total number of digits required to complete the call -
Number of default dialing prefix digits entered by user,

d) a programmed instruction means for retrieving the specified number of digits dialed by calling party required to activate the dialing process;

e) a programmed instruction means for detecting an off hook, flash hook, or on-hook condition.

f) a programmed instruction means for remaining quiescent until an off hook condition has been sensed;

g) a programmed instruction means for capturing, counting, and temporarily storing dtmf digits dialed by calling party;

h) a programmed instruction means for timing out the programmed instruction means of step g;

i) a programmed instruction means for appending digits dialed by calling party to the pre-stored prefix digits and temporarily storing the resultant digit sequence if and only if the

Art Unit: 2643

number of digits dialed by the calling party is equal to the specified number of digits,

- j) a programmed instruction means for placing the resultant digit sequence on to the Service Provider's network for call completion;
- k) a programmed instruction means for placing dtmf digits dialed by calling party on to the Service Provider's network for call completion if and only if no resultant digit sequence, was stored;
- l) a programmed instruction means for remaining quiescent during call progress, sub-claim j, unless a flash hook, or other transition from off-hook, to on-hook, to off-hook has been detected;
- m) a programmed instruction means for re-activating program instruction means sub-claims d through l upon detection of transition from on-hook- to off-hook;
- n) wherein the programmed instruction means wherein said programmed instruction means reside and function in the Service Provider's Advanced Intelligent Network Service Control Point, SCP, or other equivalent network element.
 - o) Wherein the programmed instruction means reside and function in the Service Provider's Advanced Intelligent Network Call Control functional area of the Service Switching Point, SSP, or other equivalent network element.
- p) wherein the programmed instruction means of step h resides and functions in the Service Provider's Advanced Intelligent instruction means in the Service Provider's Advanced Intelligent Network Intelligent Peripheral, IP, and said programmed instruction of step I resides and functions in the Service Provider's Advanced Intelligent Network Service Control Point, SCP.
- q) wherein the programmed instruction means reside and function cooperatively between the Service Provider's Advanced Intelligent Network Service Control Point, SCP and said Service Provider's Service Switching Point, SSP, the SCP digitally transmitting said resultant digit sequence, to said SSP upon which said. SSP completes the call.
- r) wherein the programmed instruction means of step k reside and function cooperatively between the Service Provider's Advanced Intelligent Network Service Control Point, SCP and said Service Provider's Service Switching Point, SSP, the SCP digitally transmitting a

Art Unit: 2643

null resultant digit sequence, to said SSP upon which said SSP completes the call using only the dtmf digits dialed by the calling party.

s) wherein the programmed instruction means reside and function in the Service Provider's Advanced Intelligent Network Call Control functional area of the Service Switching Point, SSP, or other equivalent network element.

NOTE: The applicant is advised to select one options wherein the programmed instruction means resides in a specific area of the advanced intelligent network (see steps N-step S) but could claim the other options as dependent claims.

NOTE: An election/restriction has to be made because the first claim is directed to storing a prefix dialer within a telephone device wherein the second claim is directed to a method of processing within an advance intelligent network. In other words, both claims cannot be prosecuted at the same time and the applicant has the option to elect a claim desired for prosecution after which the applicant can file a continuation application to pursue the other claim.

CONCLUSION

Any Inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label **"PROPOSED/INFORMAL" or "FORMAL"**).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie
Patent Examiner
RB 09/22/03.

R. Barnie
REXFORD BARNIE
PRIMARY EXAMINER

Art Unit: 2643

Election/Restriction

Restriction to one of the following inventions is required under 35 U.S.C. 121:

3. I Claim 1, drawn to storing dialing prefixes in a telephone device, classified in class 379, subclass 355.02.

II. Claim 2 is, drawn to storing call processing information based on a subscriber profile in an advanced intelligent network, classified in class 379, subclass 355.04.

4. The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because it's directed to speed dialing using pre-stored prefixes in a telephone device.

The subcombination has separate utility such as processing of calls based on a customer profile in a network system including speed dialing.

CONCLUSION

Any Inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie
Patent Examiner
RB 09/22/03.


REXFORD BARNIE
PRIMARY EXAMINER